

**\*\*E-Filed 10/21/2010\*\***

GERSON A. ZWEIFACH (admitted *pro hac vice*)  
PAUL B. GAFFNEY (admitted *pro hac vice*)  
DAVID I. BERL (No. 211761)  
JESSAMYN S. BERNIKER (admitted *pro hac vice*)  
THOMAS S. FLETCHER (No. 262693)  
WILLIAMS & CONNOLLY LLP  
725 Twelfth Street, NW  
Washington, DC 20005-5901  
Telephone: (202) 434-5000  
Facsimile: (202) 434-5029

JEFFREY E. FAUCETTE (No. 193066)  
TAYLOR & COMPANY LAW OFFICES, LLP  
One Ferry Building, Ste. 355  
San Francisco, CA 94111  
Telephone: (415) 788-8200  
Facsimile: (415) 788-8208

ELLIOT M. OLSTEIN  
CARELLA, BYRNE, BAIN, GILFILLAN,  
CECCHI, STEWART & OLSTEIN, P.C.  
Five Becker Farm Road  
Roseland, NJ 07068-1739  
Telephone: (973) 994-1700  
Facsimile: (973) 994-1744  
Attorneys for Plaintiff,  
MEDIMMUNE, LLC

MATTHEW D. POWERS (No. 104795)  
VERNON M. WINTERS (No. 130128)  
GREGORY D. HULL (No. 57367)  
AARON Y. HUANG (No. 261903)  
WEIL, GOTSHAL & MANGES LLP  
Silicon Valley Office  
201 Redwood Shores Parkway  
Redwood Shores, CA 94065  
Telephone: (650) 802-3000  
Facsimile: (650) 802-3100

DAVID I. GINDLER (No. 117824)  
JASON G. SHEASBY (No. 205455)  
RAYMOND LAMAGNA (No. 244821)  
IRELL & MANELLA LLP  
1800 Avenue of the Stars, Suite 900  
Los Angeles, CA 90067-4276  
Telephone: (310) 277-1010  
Facsimile: (310) 203-7199

*Additional Counsel Listed After Signature  
Page*

Attorneys for Defendant,  
PDL BIOPHARMA, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

MEDIMMUNE, LLC,

Plaintiff,

v.

PDL BIOPHARMA, INC.,

Defendant.

Case No.: CV-08-5590 (JF)

**STIPULATED REQUEST FOR AND  
PROPOSED ORDER TO EXTEND BY  
ONE DAY BRIEFING ON SUMMARY  
JUDGMENT MOTIONS, PURSUANT TO  
LOCAL RULE 6-2**

1 WHEREAS, the parties' motions for summary judgment are currently due on October 21,  
2 2010, the parties' oppositions are currently due on November 11, 2010; and the parties' replies are  
3 currently due on November 18, 2010;

4 WHEREAS, the parties are in the midst of ongoing discovery and depositions ordered by  
5 the Special Master, including depositions taking place on October 20 and 21, 2010;

6 WHEREAS, the parties would like the option of including this evidence in their motions  
7 for summary judgment; and

8 WHEREAS, a one-day extension would give the parties this opportunity.

9 IT IS HEREBY STIPULATED AND AGREED by and between MedImmune and PDL  
10 that the parties' motions for summary judgment will be due on October 22, 2010; the parties'  
11 oppositions will be due on November 12, 2010; and the parties' replies will be due on November  
12 19, 2010.

13  
14 Dated: October 20, 2010

WILLIAMS & CONNOLLY LLP

15  
16  
17 /s/ Jessamyn S. Berniker

GERSON A. ZWEIFACH  
PAUL B. GAFFNEY  
AARON P. MAURER  
DAVID I. BERL  
JESSAMYN S. BERNIKER

18  
19  
20 Attorneys for Plaintiff  
21 MEDIMMUNE, LLC

22 DATED: October 20, 2010

WEIL, GOTSHAL & MANGES LLP

23  
24 /s/ Aaron Y. Huang

AARON Y. HUANG

25  
26 Attorneys for Defendant  
27 PDL BIOPHARMA, INC.  
28

1 *Additional Counsel:*

2 T. RAY GUY (admitted *pro hac vice*)  
3 [ray.guy@weil.com](mailto:ray.guy@weil.com)  
4 WEIL, GOTSHAL & MANGES LLP  
5 200 Crescent Court, Suite 300  
6 Dallas, TX 75201  
7 Telephone: (214) 746-7700  
8 Facsimile: (214) 746-7777

9 ELIZABETH S. WEISWASSER (pending *pro hac vice*)  
10 PETER SANDEL (admitted *pro hac vice*)  
11 [peter.sandel@weil.com](mailto:peter.sandel@weil.com)  
12 REBECCA FETT (admitted *pro hac vice*)  
13 [rebecca.fett@weil.com](mailto:rebecca.fett@weil.com)  
14 WEIL, GOTSHAL & MANGES LLP  
15 767 Fifth Avenue  
16 New York, NY 10153  
17 Telephone: (212) 310-8000  
18 Facsimile: (212) 310-8007

19 P. CHRISTINE DERUELLE (admitted *pro hac vice*)  
20 [christine.deruelle@weil.com](mailto:christine.deruelle@weil.com)  
21 WEIL, GOTSHAL & MANGES LLP  
22 1395 Brickell Avenue, Suite 1200  
23 Miami, FL 33131  
24 Telephone: (305) 577-3100  
25 Facsimile: (305) 374-7159

26 Attorneys for Defendant,  
27 PDL BioPharma, Inc.

28 **GENERAL ORDER ATTESTATION**

I, Kimberly Taylor, am the ECF user whose ID and password are being used to file the parties' STIPULATED REQUEST FOR AND PROPOSED ORDER TO EXTEND BY ONE DAY BRIEFING ON SUMMARY JUDGMENT MOTIONS, PURSUANT TO LOCAL RULE 6-2. In compliance with General Order 45, X.B., I hereby attest that Jessamyn S. Berniker, counsel for Plaintiff, and Aaron Y. Huang, counsel for Defendant, have concurred in this filing.

/s/ Kimberly Taylor

~~{PROPOSED}~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: October 21, 2010

  
\_\_\_\_\_  
THE HONORABLE JEREMY FOGEL  
UNITED STATES DISTRICT COURT JUDGE